

February 13, 2020

**Public Notice for Water Quality Certification and/or Waste  
Discharge Requirements (Dredge/Fill Projects)**

**California Trout - French Creek  
Diversion 43 Fish Screen Replacement Project  
41.401136° N, 122.867647° W  
WDID 1A20018WNSI, CW- 864814**

**Siskiyou County**

On February 3, 2020, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Andrew Braugh, California Trout (Applicant), requesting federal Clean Water Act, section 401, Water Quality Certification coverage (Certification) for activities associated with the French Creek Diversion 43 Fish Screen Replacement Project (Project). The Project is located on French Creek, tributary of the Scott River, near Etna, California.

**Project Description**

The purpose of this Project is to prevent fish from entering diversion ditch "Ditch 43" on French Creek by relocating the existing screen closer to French Creek. The current screen is approximately 1,500 feet down ditch from the head gate on French Creek. Coho salmon rear near the existing head gate throughout the irrigation season and frequently get entrained in the ditch, unable to make it to the existing screen and nonfunctional fish bypass pipe to return safely to French Creek. The new fish screen would be 30 feet down ditch from the head gate and the new fish bypass pipe would be approximately 75 feet in length and would return any fish that enter the ditch back to French Creek just downstream from the head gate.

The Project would build a new fish screen within the diversion ditch. The new fish screen would include a formed-in-place concrete structure built behind the existing head gate and corrugated metal pipe. A ten-inch diameter fish bypass pipe would be installed, running from the screen structure back to French Creek. Approximately nine cubic yards of concrete would be poured to build the fish screen structure which holds the plate screen and screen-cleaning mechanism. Minimal excavation would be required to construct the new fish screen structure in the ditch, however, approximately 13 cubic yards of backfill would be placed within the ditch around the new structure. The ten-inch diameter fish bypass pipe would require 75 feet of trenching, running from the screen structure to left bank of French Creek. Approximately 30 cubic yards of native material would be excavated and replaced to bury the pipe. Trenching for the fish bypass pipe would start at the fish screen structure and continue towards French Creek. Trenching through the stream bank would result in approximately six feet of temporary disturbance and approximately two cubic yards of rock armoring would be placed around the outlet of the pipe. The work would be completed in dry conditions and all work would be performed from the stream bank.

**Project Timeline**

Start date: March 15, 2020

Completion date: October 15, 2020

Number of workdays: Approximately three weeks

**Receiving Waters**

The Project would cause disturbances to waters of the U.S. and the state associated with French Creek, within the Scott River Hydrologic Unit No. 105.42.

**Impacts**

The proposed Project would result in temporary impacts to approximately six feet of stream bank within French Creek.

**Mitigation**

This Project would replace outdated and failing water diversion infrastructure that, in its current condition, results in entrainment and entrapment of coho salmon. The Project would support the Beneficial Use RARE, by encouraging development and protection of rare and endangered species.

**Other Agency Permits and Actions**

The Applicant has applied to the U.S. Army Corps of Engineers for a section 404 permit (NWP 3).

**CEQA**

The North Coast Regional Water Quality Control Board, as lead California Environmental Quality Act (CEQA) agency, has determined that the Project qualifies for Categorical Exemption, 15302(c) Replacement or Reconstruction, and will file a Notice of Exemption with the State Clearinghouse concurrent with issuance of the 401 Water Quality Certification, pursuant to CEQA guidelines.

**Public Comments**

Regional Water Board staff are proposing to regulate this Project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. The information contained in this public notice is only a summary of the Applicant's proposed activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed Project including maps and photos. The application and Regional Water Board file are available for public review at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review and can be made by calling (707) 576-2220.

The Project is scheduled to start as soon as possible to address ongoing negative impacts to coho salmon as soon as possible. Under Title 23, California Code of Regulations, Section 3858(a): "The executive director or the executive officer with whom an application for certification is filed shall provide public notice of an application at least twenty-one (21) days before taking certification action on the application, unless the public notice requirement has been adequately satisfied by the Applicant or federal

agency. If the Applicant or federal agency provides public notice, it shall be in a manner and to an extent fully equivalent to that normally provided by the certifying agency. If an emergency requires that certification be issued in less than 21 days, public notice shall be provided as much in advance of issuance as possible, but no later than simultaneously with issuance of certification." Due to ongoing impacts to coho salmon, the 401 Water Quality Certification will be issued during the 21-day public comment period. Public comments will still be accepted and reviewed during the entire 21-day comment period.

If you have any questions, please contact Jake Shannon at (707) 576-2673 or [Jacob.Shannon@waterboards.ca.gov](mailto:Jacob.Shannon@waterboards.ca.gov) or within 21 days of the posting of this notice.

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